

HEADQUARTERS
UNITED STATES EUROPEAN COMMAND
APO 09128-4209

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LEGAL

Claims Procedures for Security Assistance Organizations (SAOs)

1. **Summary.** This directive assigns responsibilities and prescribes procedures for SAOs and Missions on handling claims against and in favor of the U.S. Government.

2. **Applicability.** This Directive is applicable to all USEUCOM SAOs and Missions.

3. **Internal Control Systems.** This publication is not subject to the requirements of AR 11-2.

4. **Suggested Improvements.** HQ USEUCOM ECLA is the proponent for this directive. Recommendations for changes should be sent to:

HQ USEUCOM/ECLA
UNIT 30400 BOX 1000
APO AE 09128

5. **References.**

a. Chapter 6, AR 1-75/OPNAVINST 4900.31F/AFR 400-45, Administrative support of Overseas Security Assistance Organizations.

b. AR 27-20, Legal Services - Claims, USAREUR Supp 1 to AR 27-20.

c. AFR 112-1, Claims and Tort Litigation.

d. JAGINST 5800.7B, Manual of The Judge Advocate General, Chapters XII, XX-XXIV.

6. **Explanation of Terms.** In this directive the term "Security Assistance Organization"--commonly referred to by its acronym "SAO"--encompasses elements with assigned

security assistance management responsibilities at the governmental level for military assistance and Department of Defense matters in the host countries to which they are accredited. The term includes, MAAGs, Missions, Military Groups, Liaison Offices, ULCCs, Offices of Military or Defense Cooperation, and Defense Attaché Offices to the extent they perform security assistance functions.

7. **Responsibilities.**

a. The Chief of an SAO or Mission is responsible for:

(1) Notifying HQ USEUCOM/ECLA and the servicing single-service component legal office by the most expeditious means of the filing of a lawsuit or claim against the U.S. Government as a result of acts or omissions of DoD personnel, and

(2) Requesting the appointment of, or if no U.S. forces are assigned in the host nation, appointing investigating officers to investigate claims and potential claims by or against the U.S. Government.

b. Servicing Component Claims Offices (Annex A) are responsible for:

(1) Providing advice and assistance to SAOs and Missions on matters within their single-service claims responsibilities, and

(2) Where time and resources permit, investigating claims incidents within countries to which they have been assigned single-service claims responsibility.

c. HQ USEUCOM/ECLA is responsible for:

(1) Promulgation and revision of this directive, and

(2) Providing advice to SAOs and Missions on proper claims authorities in the event of doubt or dispute, and

(3) Coordinating on all claims issues affecting SAOs within the USEUCOM AOR.

8. Policies and Procedures.

a. Claims by SAO personnel. Claims for damage to or loss of personal property of civilians, employees, and military members are processed by the service of which the claimant is a member. Normally the nearest military organization with a judge advocate or legal officer assigned will assist with the processing. If no such organization of the same service as the claimant is convenient, a judge advocate of another service may assist with the preliminary processing and forwarding of the claim to the appropriate service for adjudication and payment.

b. The processing of claims, other than admiralty claims, those claims described in subparagraph a above, and those not specifically covered by the NATO Status of Forces Agreement (SOFA) or other international agreement, is a single-service responsibility based on the country in which the claim originates. Assistance in locating the proper office with single-service claims responsibility may be obtained from the claims offices listed in Appendix A.

c. Where necessary, each service will assist with the preliminary processing of a claim for another service and promptly forward the claim to the appropriate service legal office for adjudication.

d. Claims against and in favor of the United States. In the event a claim is filed against the U.S. Government, or loss or damage is caused and it appears that a claim may be filed against the U.S. Government, as a result of action or inaction of a member or employee of the U.S. forces, or where circumstances indicate a claim in favor of the U.S. Government may be appropriate, the Chief of an SAO or Mission shall communicate directly with the servicing claims office.

e. The Chief of an SAO or Mission will request the commander of any U.S. armed force in the country to appoint a claims officer to investigate and report on claims against the U.S. forces. In the event no U.S. forces are stationed in the country, the Chief of a SAO or Mission will appoint a claims officer from those supervised to investigate and report on such claims. In any case, the investigating officer should seek advice and assistance from the appropriate component commander's legal office.

FOR THE COMMANDER IN CHIEF:

OFFICIAL:

SUSAN M. MEYER
LTC, USA
ADJUTANT GENERAL

Appendixes

A - European Command
Component Claims Offices can be
obtained from the claims offices
listed in Appendix A.

RICHARD F. KELLER
Lieutenant General, USA
Chief of Staff

European Command Component Claims Offices

A-1. Army

U.S. Army Claims
Service, Europe
APO AE 09166

Telephone: DSN 380-7101/8250
Mannheim Military: (2131), Est. 7101/8250
Mannheim Civilian: 0621-730-7101/8250*

A-2. Navy

Fleet and Staff
Judge Advocate
CINCUSNAVEUR Box 2
FPO AE 09510

Telephone: DSN 235-4303/4390
London Civilian: 01-409-4303-4309**

A-3. Air Force

HQ USAFE/JAC
APO AE 09012-5000

Telephone: DSN 480-6865
Ramstein Civilian: 06371-47-6865*

* When dialing from outside Germany, prefix this number with "49" for the country code and drop the "0."

** When dialing from outside the U.K., prefix this number with "44" and drop the first "0."

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